

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Dirk Beher, et al.		
Serial No.:	10/566,844	Case: T1632Y	Art Unit: 1614
Filed:	February 1, 2006		Examiner: Rao, Savitha M.
For:	TREATMENT OF ALZHEIMER'S DISEASE AND RELATED CONDITIONS		

Commissioner for Patents
Alexandria, VA 22313-1450

REPLY TO NON-FINAL OFFICE ACTION
PURSUANT TO 37 CFR § 1.111

Sir:

This communication is in reply to the non-final Office Action dated November 12, 2008 setting forth a shortened statutory period for reply ending February 12, 2009. Reconsideration and allowance of the above-identified patent application are respectfully requested. This application relates to treatment of Alzheimer's disease and related conditions.

Claims 5 to 7, 9 and 11 to 13 are currently pending in the application. Claims 5 to 7, 9 and 11 have been rejected as obvious under 35 U.S.C. § 103 over EP 0307077 ("Ford-Hutchinson") in view of Patani et al., Chemical Reviews, 1996, vol. 96 (8), pages 3147-3176 ("Patani") and U.S. Patent No. 6,514,984 ("Watanbe"). Claims 12 and 13 have been withdrawn from consideration. No claim has been allowed.

Applicants respectfully traverse the obviousness rejection of Claims 5 to 7, 9 and 11. Although Claims 5 to 7, 9 and 11 are encompassed by the genus described in Ford-Hutchinson, as stated in M.P.E.P. § 2144.08 the "fact that a claimed ... subgenus is